

## Remarks

Claims 1, 3-11, 13, 14, 16-18, and 20-24 are pending. Claims 1, 3-11, 13, 14, 16-18, and 20-24 are rejected. Claims 1 and 3-11 are amended. Claims 13, 14, 16-18, and 20-24 are cancelled. Claims 25 and 26 are newly presented. All rejections are respectfully traversed.

Claims 1, 3-11, 13, 14, 16-18, and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sterner (U.S. 6,728,216) in view of Hurwitz (U.S. 5,884,041).


The invention diagnoses, in a network comprising two devices connectable by a link, a failure of the connection between the devices. The two devices are connected together, at least one of the devices including a plurality of registers, the plurality of registers including at least one each of a first register configured to receive error signals associated with a physical link failure and a second register configured to receive error signals associated with an auto-negotiation protocol failure. An auto-negotiation sequence is run. A failure is detected and an error signal associated with the detected failure is passed to the relevant first or second register. Each register is interrogated to determine whether the detected failure is based on a physical link failure or an auto-negotiation protocol failure.

Hurwitz is directed only to monitoring progress or failure of an auto-negotiation protocol. Sterner is directed only to determining an integrity of a physical link. There is no suggestion or motivation in either Hurwitz or

Sterner to provide a method that can distinguish between a physical link failure and an auto-negotiation protocol failure according to what is claimed.

It is believed that this application is now in condition for allowance. A notice to this effect is respectfully requested. Should further questions arise concerning this application, the Examiner is invited to call Applicant's attorney at the number listed below. Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-6350.

Respectfully submitted,  
3Com Corporation,  
By

  
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